

56. Both beams pass through a 90° phase retarder with its fast axis 45° to each polarization axis of beams A and B. The beams A and B are focused at spots C and D, respectively in the focal or image plane 58. It will be appreciated that these spots are scanned in X and Y over the image plane in order to provide optical signals from which the image can be constructed, after detection by the detector 24, in the computer 22. Preferably the spots substantially overlap. They are suitable separated by a distance,  $D/4$ , where D is the Airy diameter of focal spots formed by the objective 30.

#### REMARKS

In response to Items 1 and the rejection of Claims 34 and 35 in Item 5 of the Detailed Action, it is respectfully submitted that the overlapping nature of the beams in the medium is disclosed in the drawings, implicitly in Fig. 2 where the two beams which focus at C and D in the image plane 58 obviously are overlapping in the medium adjacent to the image plane. The beams 220 and 221 are specifically shown overlapping in the medium in Fig. 4. The specification in this Application, as in the Parent Patent, describe the basic principle as having the beams overlap and interfere at the scattering sites adjacent to the section which cause noise. This is discussed in the brief description starting on page 4, line 12, and the term "overlap" is explicitly used in the paragraph starting on page 7, line 20. The withdrawal of the objection to the drawings and the rejection of Claims 30 and 35 under 35 USC 112 (1) is therefore respectfully requested.

In Item 6 of the Detailed Action Claims 29 to 38 were rejected as anticipated by Barenboim (160). This rejection is respectfully traversed. This reference like the other references is relied upon by the Examiner which are Smith (884), Bou-ghannam (631) and Ooki (363) are interested only in the surface profile or defects in the surface profile of a specimen. In a turbid medium, as pointed out in the specifications, there are sites spaced above and below the section or image plane, which can produce, unwanted interference, which reduces the quality of the image from the section of interest. To